

EXHIBIT “11”

GOVERNMENT EMPLOYEES INSURANCE COMPANY,
GEICO INDEMNITY COMPANY, GEICO GENERAL
INSURANCE COMPANY and GEICO CASUALTY
COMPANY,

Plaintiffs,

-against-

MARK H. VINE, M.D., MARK H VINE MD d/b/a MARK VINE MD (A Sole Proprietorship), YANA MARINOVICH, NEW YORK BILLING & PROCESSING CORP. and JOHN DOE DEFENDANTS “1” through “10,”

Defendants.

Docket No. 22-cv-2965 (EK) (LB)

**RESPONSE OF DEFENDANT
YANA MARINOVICH TO
PLAINTIFFS' FIRST DOCUMENT
PRODUCTION REQUESTS**

Defendant Yana Marinovich, through her attorney, responds and objects to Plaintiffs' First Request for Production of Documents as follows:

REQUEST NO. 1

Contracts and agreements, including all associated schedules, attachments and/or payment directives/authorized agent appointments, that are between Dr. Vine and/or the Vine Practice and any funding company and/or accounts receivable financing or factoring company, including, but not limited to Funding4Doctors, L.L.C. (“Funding4”) and Financial Vision Capital Group 2 LLC (“Financial Vision”). This request is construed to include all promissory notes, bills of sale, and/or other documents concerning the purchase, factor, transfer, conveyance, lending, and/or assignment of the Vine Practice’s accounts receivable.

RESPONSE:

Ms. Marinovich invokes her Fifth Amendment privilege in response to this request.

REQUEST NO. 2

Agreements, contracts, personal guarantees, notes, bills, invoices, liens, releases, account statements, and other documents, including all schedules and

attachments, relating to or concerning services that You or NYBP performed for or on behalf of Dr. Vine and/or the Vine Practice.

RESPONSE:

Ms. Marinovich invokes her Fifth Amendment privilege in response to this request.

REQUEST NO. 3

Communications (including paper and electronic form - i.e., e-mail and text messages) by and between You and: (i) Dr. Vine; (ii) the Vine Practice; (iii) Funding4; (iv) Financial Vision; (v) Robert Marchand; (vi) Emil Efrem; (vii) Eric Meladze and/or Blue Tech Supplies Inc.; (viii) Abrams, Fensterman, Fensterman, Eisman, Formato, Ferrara, Wolf, & Carone, L.L.P.; (ix) the Korsunskiy Legal Group, L.L.C.; and/or (x) any other funding company and/or representative of a company identified in Request No. 1.

RESPONSE:

Ms. Marinovich invokes her Fifth Amendment privilege in response to this request.

REQUEST NO. 4

Documents relating to advances and/or payments made by any funding company - including but not limited to by Funding4 and Financial Vision - to (i) You, related to the Vine Practice or the Healthcare Services, (ii) Dr. Vine, (iii) the Vine Practice, and/or (iv) any third-party in relation to or on account of any agreements between Dr. Vine and/or the Vine Practice and a funding company identified in Request No. 1. This request should be construed to include payments made in paper form (e.g., checks) or electronic form (e.g., wire transfer or EFT).

RESPONSE:

Ms. Marinovich invokes her Fifth Amendment privilege in response to this request.

REQUEST NO. 5

Documents relating to monies received by You or NYBP, from any source, that relates to Dr. Vine, the Vine Practice, and/or the Healthcare Services. This request should be construed to include payments made in paper form (e.g., checks) or electronic form (e.g., wire transfer or EFT).

RESPONSE:

Ms. Marinovich invokes her Fifth Amendment privilege in response to this request.

REQUEST NO. 6

Bank records for any account (including checking, savings and/or money market) related to You and/or NYBP during the time period referenced in the Complaint. This request should be deemed to include all statements, cancelled checks, check registers, signature cards and bank resolutions.

RESPONSE:

Ms. Marinovich invokes her Fifth Amendment privilege in response to this request.

REQUEST NO. 7

Documents relating to any transactions that generated cash or currency to be used in any way in relation to the operation and/or management of the Vine Practice or payment of debts related to medical funding, including, but not limited to, cash disbursements journals and cash receipts journals.

RESPONSE:

Ms. Marinovich invokes her Fifth Amendment privilege in response to this request.

REQUEST NO. 8

Documents relating to any transactions that generated cash or currency to be used in any way in relation to the operation and/or management of the Vine Practice or payment of debts related to medical funding, including, but not limited to, cash disbursements journals and cash receipts journals.

RESPONSE:

Ms. Marinovich invokes her Fifth Amendment privilege in response to this request.

REQUEST NO. 9

All "Attorney Escrow Agreements", "Business Associate Agreements", letters of direction, and payment directives to which Dr. Vine and/or the Vine Practice is a party.

RESPONSE:

Ms. Marinovich invokes her Fifth Amendment privilege in response to this request.

REQUEST NO. 10

Federal, New York State and New York City tax returns prepared and/or filed by You, including all attachments and schedules, from January 1, 2021 to the present.

RESPONSE:

Ms. Marinovich invokes her Fifth Amendment privilege in response to this request.

REQUEST NO. 11

All communications between You and any of the other Defendants or a third party regarding any of the following services for or on behalf of the Vine Practice: (i) operation and/or management services; (ii) marketing and/or advertising services; (iii) legal and/or arbitration services, including collection of No-Fault insurance receivables and the incorporation, formation, or start-up of the Vine Practice; (iv) billing and collection services; (v) accounting, bookkeeping, or tax preparation services; (vi) clerical/administrative services; (vii) consulting of any type; (viii) funding; (ix) legal services; and/or (x) health care staffing services.

RESPONSE:

Ms. Marinovich invokes her Fifth Amendment privilege in response to this request.

REQUEST NO. 12

Documents concerning or reflecting communications between You and any person or entity concerning the creation, incorporation, start-up, financing, management, and operation of the Vine Practice. This request is construed to include billing or other services performed by You and/or NYBP on behalf of the Vine Practice.

RESPONSE:

Ms. Marinovich invokes her Fifth Amendment privilege in response to this request.

REQUEST NO. 13

All communications between You and any of the Defendants regarding the Vine Practice.

RESPONSE:

Ms. Marinovich invokes her Fifth Amendment privilege in response to this request.

REQUEST NO. 14

Documents concerning or reflecting communications between You and any of the Clinics, landlords, owners of property or lessees of space or the locations from where the Vine Practice has done business, operated, or performed services.

RESPONSE:

Ms. Marinovich invokes her Fifth Amendment privilege in response to this request.

REQUEST NO. 15

Documents concerning any agreements with any individual or entity that ordered, prescribed, recommended, or referred insureds to the Vine Practice for the Healthcare Services, and documents reflecting payments made or received pursuant to such agreements.

RESPONSE:

Ms. Marinovich invokes her Fifth Amendment privilege in response to this request.

REQUEST NO. 16

Documents concerning or reflecting communications between You and any individuals who performed services, whether Healthcare Services or non-Healthcare Services (e.g., administrative), for or on behalf of the Vine Practice.

RESPONSE:

Ms. Marinovich invokes her Fifth Amendment privilege in response to this request.

REQUEST NO. 17

Documents concerning the work schedules of any other individual who has been employed by or associated with the Vine Practice, including but not limited to written schedules, time sheets, sign-in sheets, documents evidencing work assignments, and availability charts.

RESPONSE:

Ms. Marinovich invokes her Fifth Amendment privilege in response to this request.

REQUEST NO. 18

Documents relating to the creation of and/or revisions to the form of letters of medical necessity, bills (HCFA-1500 or NF-3 forms), or reports concerning any Healthcare Service provided to any insured.

RESPONSE

Ms. Marinovich invokes her Fifth Amendment privilege in response to this request.

REQUEST NO. 19

Documents concerning any agreement: (i) by and between any of the Defendants; or (ii) between any of the Defendants and any other person, concerning the Healthcare Services.

RESPONSE:

Ms. Marinovich invokes her Fifth Amendment privilege in response to this request.

REQUEST NO. 20

All documents that You received that are related to the Healthcare Services.

RESPONSE:

Ms. Marinovich invokes her Fifth Amendment privilege in response to this request.

REQUEST NO. 21

All documents that You created that are related to the Healthcare Services.

RESPONSE:

Ms. Marinovich invokes her Fifth Amendment privilege in response to this request.

REQUEST NO. 22

All communications related to documents that You received regarding the Healthcare Services.

RESPONSE:

Ms. Marinovich invokes her Fifth Amendment privilege in response to this request.

REQUEST NO. 23

All documents reflecting any payment made to or received from any of the Defendants and/or any entity owned or controlled by any of the Defendants.

RESPONSE:

Ms. Marinovich invokes her Fifth Amendment privilege in response to this request.

REQUEST NO. 24

All documents and communications regarding the bills for Healthcare Services that were billed to GEICO.

RESPONSE:

Ms. Marinovich invokes her Fifth Amendment privilege in response to this request.

REQUEST NO. 25

Documentation identifying each person who performed or is performing the Healthcare Services, including any technicians. For each person identified, provide documentation concerning their qualifications to perform the Healthcare Services, including certification, training, education, licensure, experience, résumé, and/or curriculum vitae.

RESPONSE:

Ms. Marinovich invokes her Fifth Amendment privilege in response to this request.

REQUEST NO. 26

Documents, including communications, concerning: (i) any authorization given by Dr. Vine to any individual or entity to sign or to apply a signature stamp/photocopy of Dr. Vine's name on any document; and/or (ii) any authorization given by Dr. Vine to any individual or entity to use Dr. Vine's personal social security number on any document that has been submitted to GEICO.

RESPONSE:

Ms. Marinovich invokes her Fifth Amendment privilege in response to this request.

REQUEST NO. 27

All documents demonstrating that the Healthcare Services were medically necessary, including but not limited to any research performed, and the supervision of the Healthcare Services.

RESPONSE:

Ms. Marinovich invokes her Fifth Amendment privilege in response to this request.

REQUEST NO. 28

All documents regarding Dr. Vine's authorization for someone to create and/or submit bills to automobile insurance carriers on behalf of the Vine Practice.

RESPONSE:

Ms. Marinovich invokes her Fifth Amendment privilege in response to this request.

REQUEST NO. 29

All documents between You and any of the other Defendants

RESPONSE:

Ms. Marinovich invokes her Fifth Amendment privilege in response to this request.

REQUEST NO. 30

Reports, summaries, invoices, statements or related documents concerning the Vine Practice's billing, collection activities, litigation or arbitration activities. This request should be construed to include documents reflecting any attempt to collect charges from anyone, including GEICO, for any Healthcare Service.

RESPONSE:

Ms. Marinovich invokes her Fifth Amendment privilege in response to this request.

REQUEST NO. 31

Transcripts of testimony given by You in connection with any litigation, arbitration, examination under oath, professional disciplinary hearing or proceeding, and/or governmental investigation, including all documents marked in connection with the testimony.

RESPONSE:

Ms. Marinovich invokes her Fifth Amendment privilege in response to this request.

REQUEST NO. 32

Documents related to each Post Office Box used in connection with the operation and/or management of NYBP.

RESPONSE:

Ms. Marinovich invokes her Fifth Amendment privilege in response to this request.

REQUEST NO. 33

Documents reflecting policies and procedures used by You or NYBP to determine which bills to initiate collection proceedings on.

RESPONSE:

Ms. Marinovich invokes her Fifth Amendment privilege in response to this request.

REQUEST NO. 34

Documents reflecting an up-to-date record of the collections proceedings You have initiated on behalf of the Vine Practice.

RESPONSE:

Ms. Marinovich invokes her Fifth Amendment privilege in response to this request.

REQUEST NO. 35

Retainer or engagement agreements between You or NYBP and: (i) Dr. Vine; (ii) the Vine Practice; (iii) Abrams, Fensterman, Fensterman, Eisman, Formato, Ferrara, Wolf, & Carone, L.L.P.; or (iv) the Korsunskiy Legal Group, L.L.C.

RESPONSE:

Ms. Marinovich invokes her Fifth Amendment privilege in response to this request.

REQUEST NO. 36

Documents concerning protocols for obtaining patient signatures on Assignment of Benefit forms (AOBs) which designate the Vine Practice as the assignee of benefits.

RESPONSE:

Ms. Marinovich invokes her Fifth Amendment privilege in response to this request.

REQUEST NO. 37

Checks, receipts, bills, invoices, purchase orders, vouchers, or other documents that reflect any payment made: (i) by the Vine Practice to any of the Defendants; and (ii) to any individual or entity to provide Healthcare Services for or on behalf of You.

RESPONSE:

Ms. Marinovich invokes her Fifth Amendment privilege in response to this request.

REQUEST NO. 38

Documents identified in Your Rule 26(a)(1) disclosures.

RESPONSE:

Ms. Marinovich invokes her Fifth Amendment privilege in response to this request.

REQUEST NO. 39

Documents, to the extent not produced pursuant to other items in these Requests, that You may seek to introduce in evidence at the trial of this action.

RESPONSE:

Ms. Marinovich invokes her Fifth Amendment privilege in response to this request.

REQUEST NO. 40

Documents identified in Your response to GEICO's First Set of Interrogatories or reviewed or consulted in connection with preparing answers to GEICO's First Set of Interrogatories.

RESPONSE:

Ms. Marinovich invokes her Fifth Amendment privilege in response to this request.

Dated: Port Washington, New York
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